

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

Gaylord, May 3, 2009

Members Present:

Jim Derocher, Negaunee
Scott Grimes, Grand Haven
Vic Michaels, Detroit
Dan Flynn, Escanaba
Ken Dietz, Watervliet

Staff Members Present:

Tom Rashid
Jack Roberts (Recorder)

Executive Committee Authority and Responsibility - The Executive Committee reviewed its authority under Article VII of the MHSAA Constitution and specifically its responsibility to consider each application for waiver of an eligibility requirement on its individual merits, determining if the regulation serves the purpose for which it was intended in each case or if the regulation works an undue hardship on any student who is the subject of a request for waiver. (These underlying criteria may not be restated for every subject of these minutes.)

The Executive Committee was reminded that it was the responsibility of each member school involved to provide sufficient factual information about the specific request for the Executive Committee to reach a decision without further investigation. If information is incomplete, contradictory or otherwise unclear or has been received too late to be studied completely, the Executive Committee may deny the request for waiver or delay action. Such requests may be resubmitted to the Executive Committee with additional information at a subsequent meeting or appealed to the full Representative Council.

It is possible that some of the information presented as facts to the Executive Committee by school personnel and others may be inaccurate. However, to avoid constant repetition in this report of phrases such as "it was alleged" or "it was reported," no attempt is made in the introduction of each waiver request to distinguish between truth, allegation, hearsay, opinion, summary or conclusion. If any information provided to the Executive Committee is inaccurate, any decision of the Executive Committee to grant waiver of a regulation shall be null and void.

The Executive Committee is not authorized to approve waiver based on alleged or actual differences between schools based on "environment," demographics, curriculum or extracurricular offerings. A determination of undue hardship is a matter addressed to the discretion of the Executive Committee within the educational philosophy and secondary role of voluntary extracurricular competitive athletics in the academic environment. The Executive Committee will avoid making exceptions that would create precedent that effectively changes a rule without Representative Council action or local board of education adoption, which would exceed Executive Committee authority. The contract the MHSAA has with member schools obligates the MHSAA to not change rules during the school year.

Students for whom waiver of a particular regulation is approved must be eligible in all other respects under all sections and interpretations of the regulations prior to their participation.

Adoption of these regulations, as well as policies, procedures and schedules of MHSAA tournaments, is a choice schools make locally when they consider their option of MHSAA membership. Consistent with rulings of the Attorney General and Michigan Supreme Court, schools are not bound by the decisions of the Executive Committee, but the association may limit participation in the post-season tournaments it sponsors to those schools which choose to apply rules and penalties as promulgated by the MHSAA and adopted by each member school's board of education. The MHSAA exercises no independent authority over schools or students.

Glen Arbor-The Leelanau School, Leland and Maple City-Glen Lake High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in boys and girls tennis between these three schools whose combined 2009-10 enrollment of 502 students will place the teams in the Division 4 tournaments. Glen Lake and The Leelanau School sponsored tennis previously. The Leelanau School will be the primary school. Support was received from four future opponents.

Grand Rapids-Central and Grand Rapids-Union High Schools (Regulation I, Section 1[E]) – A request was made to waive the Class B enrollment cap to permit the formation of a cooperative program in wrestling between these two schools of the same district for the 2009-10 school year only. Central High School will not accept 9th graders in the fall of 2009 and will discontinue offering athletics beginning in 2010-11 as part of a phased-out school closing which will conclude when the current 9th graders graduate in 2012. The combined enrollment of the two schools would be 1,369 students; 460 projected for Central and 909 currently enrolled at Union. The 2009-10 limit for Class B is 986 students. In addition to the phased-out school closing, the school cited low participation at Union and not including some non-traditional schools as has been done in the past. On April 30, 2009, the OK Conference supported the new program.

The Executive Committee reviewed its previous consistent actions involving these and other schools which had sought waiver of enrollment limits for cooperative programs and the precedent that waiver in this situation might create for future requests for other sports in this district and for schools elsewhere. The Executive Committee also reviewed the opportunities provided under Interpretation 206 of the *MHSAA Handbook*. The request for waiver was not approved.

Lansing-Sexton and Lansing-Eastern High Schools (Regulation I, Section 1[F]) – The Executive Committee approved a cooperative program in boys and girls swimming & diving between these two schools whose combined 2009-10 enrollment of 2,145 students will place the teams in the Division 1 tournaments. Sexton will be the primary school. Support from the Capital Area Activities Conference was received.

Pellston, Mackinaw City and Alanson-Littlefield High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program between these three schools in football. Pellston and Mackinaw City were previously in a cooperative agreement with Harbor Springs which has been dissolved. The combined 2009-10 enrollment will be 366 students. Pellston will be the primary school. Support from the Ski Valley Conference was submitted.

Redford-Covenant and Detroit-Consortium College Prep High Schools (Regulation I, Section 1[E]) – On March 26, 2009, the Executive Committee did not approve a request by Detroit-Consortium and Detroit-Old Redford Preparatory to exceed the Class B limit for a cooperative program in football that occurred when enrollments increased at these schools and the limit for Class B decreased from 1,016 students to 986 students. The Executive Committee did, however, extend the deadline by one month to May 15 for these schools to form other agreements under the Class B limit.

An application was received for a cooperative agreement in football between Redford-Covenant and Detroit-Consortium College Prep High Schools whose combined 2009-10 enrollment would be 459 students. Covenant would be the primary school. Covenant High School was in an agreement with Detroit-Westside Christian Academy which withdrew after only one year and is considering possibilities that involve not renewing MHSAA membership.

In addition, Covenant and Consortium High Schools requested to add girls basketball to this agreement. Both schools sponsored girls basketball previously and Covenant would be the primary school. The combined enrollment of 459 students would place one team in the Class C tournament.

The Executive Committee approved the cooperative programs between these schools in football and girls basketball.

Cooperative Program Renewals (Regulation I, Section 1[F]) –

a. Pursuant to instructions revised by the Representative Council in December 2006, the MHSAA staff identified Cooperative Team Renewal Forms that required Executive Committee review, including those involving Class A or B schools or three or more schools of any size which indicate large numbers of students trying out or being cut, or a significant win/loss record. All agreements included conference approvals. The Executive Committee approved the following renewals:

- Bloomfield Hills-Lahser and Bloomfield Hills-Andover in ice hockey.
- Bridgman, Buchanan, Niles, St. Joseph-Lake Michigan Catholic, Stevensville-Lakeshore and Three Oaks-River Valley in boys (and girls) swimming & diving.
- DeWitt and St. Johns in ice hockey.
- Grand Ledge and Lansing-Waverly in ice hockey.
- Hudsonville, Hudsonville-Unity Christian and Allendale in ice hockey.
- Muskegon Catholic Central, North Muskegon and Spring Lake in ice hockey.
- Zeeland East and Zeeland West in boys and girls swimming & diving.

The Executive Committee requested that the staff communicate concerns and seek more information before action is taken with respect to the renewal for Rochester-Adams and Rochester Hills-Rochester in ice hockey.

b. Pursuant to instructions of the Representative Council in 1997, the Executive Committee must review Cooperative Team Renewal Forms for cooperative agreements in **boys bowling, girls bowling, girls golf and girls competitive cheer** where the combined enrollment exceeds the maximum for Class B. The only two programs in this category to be renewed for 2008-09 are listed below and were approved by the Executive Committee:

- Grand Rapids-Forest Hills Northern, Grand Rapids-Forest Hills Central and Ada-Forest Hills Eastern in girls competitive cheer.
- Zeeland East and Zeeland West in boys and girls bowling.

Cedarville High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who attended Cedarville Schools in grades K-7 before moving to Florida with his parents in 2005 when the father retired from the Michigan National Guard and started a business in Florida. The student will be moving to Michigan with his mother only who is relocating for work-related reasons. The student will be enrolling at Cedarville High School to begin the 2009-10 school year and graduate from Cedarville. The student will be 18 over the summer (Exception 12) but prefers to live with his mother in the home they own in Cedarville.

The Executive Committee approved the request for waiver.

Clawson High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 60 (public school of residence) was made on behalf of a 10th-grade student whose parents are divorced and who has attended Clawson Schools from 1st through 9th grade. The parents had joint physical custody. The student attended Bloomfield Hills-Brother Rice High School for the first semester of the 10th grade in 2008-09. The mother moved from Clawson to Dundee in the winter of 2008. The student then moved in with the father in Royal Oak and reenrolled at Clawson High School to begin the second semester of the 2008-09 school year. A completed Educational Transfer Form was submitted except that the student has returned to the former school but not the school of residence.

The Executive Committee approved the request for waiver.

New Buffalo High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 9th-grade student who attended New Buffalo Schools through the 8th grade until both parents died during in the 2007-08 school year. The student then moved with grandparents and attended Holland-West Ottawa High School. Due to the grandparents' age, the student moved in with an older sister in New Buffalo, reenrolling on March 11, 2009.

The Executive Committee approved the request for waiver.

Bay City-Central High School (Regulation II, Section 6) – A request to waive the 600-mile travel limitation was made to allow Central High School to play a home game on the sixth weekend date against St. Francis High School of Wheaton, Illinois which is approximately 640 miles round-trip from Central High School. Central was scheduled to play Flint-Central High School, which announced on April 29, 2009 that it will be closing at the end of this school year. The Flint-Central game on the sixth weekend date was Bay City-Central's homecoming game. St. Francis was willing to travel to Bay City and accepted a one-year contract.

Citing the late loss to its schedule and the efforts made to fill the schedule within the travel limitation, and in view of the one-year arrangement for a home game, the Executive Committee approved the request for waiver.

Holland High School (Regulation II, Section 11[H]) – Pursuant to Interpretation 221, a request to waive the three-player rule for the 2009-10 school year was made on behalf the boys and girls swimming & diving coach who is employed by the Holland Community Aquatics Center and coaches the resident club team which has approximately 315 participants ages 8-24. In years past, participants have come from 14 different school districts. It is estimated that 21 students in grades 7-12 from Holland Public Schools will participate. The request was granted previously for the 2006-07, 2007-08 and 2008-09 school years.

The Executive Committee approved the request for waiver for this coach for the 2009-10 school year.

Regulation III, Section 1(C) – Pursuant to Interpretation 246, waiver of the enrollment regulation was approved for the following junior high/middle schools to permit 6th-grade students to participate with and against 7th and/or 8th graders for the sports listed in the 2009-10 school year only.

Junior High/ Middle School	Sport(s)	High School Enrollment	Middle School Enrollment
McBain-Northern Michigan Christian	Girls volleyball, boys & girls basketball, boys soccer	85	17 7 th graders 16 8 th graders
Northport	All sports	52	9 7 th graders 13 8 th graders
Twining-Arenac Eastern	Boys & girls basketball	98	25 7 th graders 28 8 th graders

Pellston, Mackinaw City and Alanson-Littlefield Middle Schools (Regulation III, Section 1[E]) – The Executive Committee approved a cooperative program in football between these three member junior high/middle schools which are also forming a senior high football cooperative agreement. Pellston will be the primary school.

Regulation V, Section 3 – A member school administrator submitted a letter that requested a review of the penalties assessed regarding the use of an ineligible player in the MHSAA Boys Basketball Tournament.

The Executive Committee reviewed existing policies, past practices and the circumstances of this particular situation that resulted in forfeitures of regular season and MHSAA tournament games and the return of three levels of MHSAA awards. No further action was taken.

Next Meetings – The next meetings of the Executive Committee are scheduled for Wednesday, June 10, 2009, at 8:30 a.m. in East Lansing; Tuesday, Aug. 11, 2009, at 8:30 a.m. in East Lansing. Wednesday, Sept. 9, 2009, at 8:30 a.m. in East Lansing; Monday, Oct. 5, 2009, at 8:30 a.m. in East Lansing; Wednesday, Nov. 4, 2009, at 8:30 a.m. in East Lansing; Thursday, Dec. 3, 2009, at 1:30 p.m. in East Lansing (with the Representative Council meeting the following morning); Wednesday, Jan. 13, 2010, at 8:30 a.m. in East Lansing (with the Classification Committee meeting at 1 p.m.); Wednesday, Feb. 24, 2010, at 8:30 a.m. in East Lansing (with the Audit and Finance Committee meeting to follow); and Thursday, March 25, 2010, at 8:30 a.m. in East Lansing (with the Representative Council meeting the following morning).